

The City Council of the City of Mattoon held a regular meeting in the Council Chambers at City Hall on March 21, 2006 at 7:00 p.m. after a 6:30 p.m. caucus session.

Mayor White presiding.

Mayor White led the Pledge of Allegiance.

The following members of the Council answered roll call: YEA Commissioner David Cline, YEA Commissioner Randy Ervin, YEA Commissioner Joseph McKenzie, YEA Commissioner David Schilling, YEA Mayor Charles E. White.

Also in attendance were City personnel: City Administrator Alan Gilmore, City Attorney/Treasurer J. Preston Owen, Public Works Director David Wortman, Fire Chief Bruce Grafton, Community Development Coordinator Kyle Gill, Police Chief Larry Metzelaars, Public Works Superintendent Chris Hartbank, and City Clerk Susan O'Brien.

### **CONSENT AGENDA:**

*Items listed on the Consent Agenda are considered to be routine in nature and will be enacted by one motion. Prior to asking for a motion to approve the Consent Agenda, the mayor will ask if anyone desires to remove an item from the Consent Agenda for public discussion. No separate discussion of these items will occur unless a Council Member requests the item to be removed from the Consent Agenda. If an item is removed from the Consent Agenda, it will be considered elsewhere on the agenda for this meeting.*

Mayor White seconded by Commissioner Schilling moved to approve the consent agenda consisting of: minutes of the regular meeting March 7, 2006; Police Department reports for the months of January and February, 2006; payroll and bills for the first half of March including HOME Rehab Grant Expenditures; Council Decision Request 2006-580, approving the appointment of Scott L. Robison to regular employment status on successful completion of his probationary period retroactive to March 16, 2006; and Council Decision Request 2006-581, approving \$29,100 in grants by the Tourism Advisory Committee from hotel/motel tax funds to:

- \$3,000 to the Mattoon Cobras for use in hosting the first annual USSSA Mother's Day Softball Invitational World Series Qualifier on May 12, 13 & 14, 2006;
- \$5,000 to the Mattoon Cobras for use in hosting World Series Qualifier on June 23, 24 & 25, 2006;
- \$4,000 to the Mattoon American Legion Post 88 for use in hosting the Firecracker Classic Baseball Tournament June 28 thru July 3, 2006;
- \$7,200 to the Mattoon Beach Multi-sport Association for acquisition of equipment to host biathlon and triathlon type events over the summer season;
- \$2,500 to the East Central Illinois Antique Farm Equipment Club for use in hosting the East Central Illinois Antique Farm Equipment Show July 21-23, 2006;
- \$2,000 to the Mattoon Jr. Baseball for use in hosting the George Foster Hitting Camp on April 22 & 23, 2006;
- \$400 to the Coles County Council on Aging for use in hosting the Bratfest on June 24<sup>th</sup>, 2006 for the advertising;
- \$5,000 to the Coles County Airport Authority for the 2006 Air show.

Mayor called for any objections to the consent agenda with no responders.

Mayor White declared the motion to approve the consent agenda approved by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

### **PUBLIC PRESENTATIONS, PETITIONS AND COMMUNICATIONS:**

*This portion of the City Council meeting is reserved for persons who desire to address the Council. The Illinois Open Meeting Act mandates that the City Council may NOT take action on comments received on matters that have not been identified on this agenda, but the Council may direct staff to address the topic or refer the matter for action on the agenda for another meeting. Persons addressing the Council are requested to limit their presentations to three minutes and to avoid repetitious comments.*

Mayor White opened the floor for open public discussion by Council or public. No discussion was conducted.

### **NEW BUSINESS:**

Mayor White seconded by Commissioner McKenzie moved to approve Council Decision Request 2006-582, reappointing Roger Dettro to the Coles County Airport Authority for a five-year term, expiring 04/30/2011.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Schilling moved to approve Council Decision Request 2006-583, appointing J. Preston Owen and Susan J. O'Brien to the Fire Pension Board effective April 17, 2006. Mr. Owen's term expires April 17, 2009 and Mrs. O'Brien's term expires April 17, 2008, and the change in the Fire Pension Board was mandated by State Law.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Cline moved to approve Council Decision Request 2006-584, ratifying the Mayor's appointment of Jon Spitz to the Police Pension Board for a two-year term expiring 05/08/2008.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Ervin moved to approve Council Decision Request 2006-585, awarding the bids of \$6,325.00, for the demolition of 2816 Cedar Ave., and \$4,235.00, for the demolition of 3105 Commercial Ave., to T.Q. Demolition.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner McKenzie moved to adopt Resolution 2006-2641, authorizing the City to participate in the State of Illinois Federal Surplus Property Program.

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CITY OF MATTOON, ILLINOIS

*RESOLUTION NO. 2006-2641*

**A RESOLUTION AUTHORIZING PARTICIPATION IN THE STATE OF ILLINOIS FEDERAL SURPLUS PROPERTY PROGRAM**

**WHEREAS**, the City of Mattoon has limited fiscal resources available for the procurement of heavy-duty construction equipment, vehicles, commodities and other property; and

**WHEREAS**, the Illinois Federal Surplus Property Program offers a variety of surplus property at approximately 5-25% percent of acquisition value, effectively reducing program costs by acquiring items that have been used to their life expectancy or property that must be replaced for safety or economic reasons; and

**WHEREAS**, the City of Mattoon agrees to the following terms and conditions: to use the surplus property only in the official program which it represents; and upon receipt, agrees to place the surplus property into use within one year; and it agrees that the property shall be used for a period of one year (eighteen months for certain items); that it agrees it will not sell, loan, trade or tear down the property without written consent from the State of Illinois; and

**WHEREAS**, the City of Mattoon understands that surplus property must be used in an authorized program and that personal use or non-use of surplus property is not allowed.

**THEREFORE, WE THE ELECTED OFFICIALS OF THE CITY OF MATTOON, COLES COUNTY, ILLINOIS** do hereby consent and decree that the City of Mattoon is authorized to participate in the State of Illinois Federal Surplus Property Program.

Upon motion by Mayor White, seconded by Commissioner McKenzie, adopted this 21<sup>st</sup> day of March, 2006, by a roll call vote, as follows:

AYES (Names):	<u>Commissioner Cline, Commissioner Ervin,</u> <u>Commissioner McKenzie, Commissioner Schilling,</u> <u>Mayor White</u>
NAYS (Names):	<u>None</u>
ABSENT (Names):	<u>None</u>

Approved this 21<sup>st</sup> day of March, 2006.

/s/ Charles E. White  
Charles E. White, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:  
/s/ Susan J. O'Brien  
Susan O'Brien, City Clerk

APPROVED AS TO FORM:  
/s/ J. Preston Owen  
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on 03-22, 2006.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White seconded by Commissioner Schilling moved to approve Council Decision Request 2006-586, authorizing Christopher B. Burke Engineering to proceed with Phase II of the independent evaluation to determine whether the proposed Mattoon I-57 East TIF District will be eligible for TIF District status.

Mayor opened for questions. There were no questions from the public.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Schilling seconded by Commissioner McKenzie moved to approve Council Decision Request 2006-587, authorizing the management staff to initiate procedures to establish the Lake Paradise Home Owners Association and to authorize the Mayor and Clerk to sign any and all documents for the establishment of the same. Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Schilling seconded by Commissioner Cline moved to adopt Resolution 2006-2642, declaring that certain lots in Lake Paradise Subdivision are no longer necessary or required for use of the municipality and authorizing the management staff to negotiate for a contract proposal to sell these lots.

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CITY OF MATTOON, ILLINOIS  
***RESOLUTION NO. 2006-2642***

**A RESOLUTION DECLARING THAT CERTAIN LOTS IN LAKE PARADISE SUBDIVISION ARE NO LONGER NECESSARY OR REQUIRED FOR USE OF THE MUNICIPALITY AND AUTHORIZING THE MANAGEMENT STAFF TO NEGOTIATE FOR A CONTRACT PROPOSAL TO SELL THESE LOTS**

**WHEREAS**, in the early 1900's the City of Mattoon purchased Lake Paradise and large parcels of land surrounding it for use in its water system; and

**WHEREAS**, after the purchase of Lake Paradise the City of Mattoon maintained ownership over the property surrounding the lake and since that time has leased portions of that land to individuals to be used for residential purposes; and

**WHEREAS**, the lots described below are part of the property; and

**WHEREAS**, by Council Decision Request 2005 – 504 the City Council has authorized staff to initiate procedures to enable the sale of the lots; and

**WHEREAS**, the property has been subdivided by the City of Mattoon and the Plat has recorded with the Coles County Clerk & Recorder; and

**WHEREAS**, the City of Mattoon is in the process of organizing the Lake Paradise Home Owners Association, drafting the covenants for the subdivision and turning the maintenance of the main roadway over to the Paradise Township.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF MATTOON, COLES COUNTY, ILLINOIS**, as follows:

**Section 1.** Pursuant to procedures prescribed by state statute (65 ILCS 5/11-76-4.1), a finding is hereby made by the City Council that the following described real estate at Lake Paradise is no longer necessary or required for the use of the municipality.

Lot 2	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 3	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 4	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 5	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 6	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 7	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 8	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 9	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 10	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 11	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 12	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 13	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 14	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 15	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 16	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 18	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 19	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 20	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 21	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 22	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 23	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 24	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 25	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 26	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 27	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 28	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 29	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 30	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 31	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 32	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 33	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 34	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 35	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 36	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 37	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 38	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 39	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 40	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 41	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 42	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 43	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 44	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 45	Lake Paradise Subdivision, Paradise Township, Coles County Illinois

Lot 46	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 47	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 48	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 49	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 50	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 51	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 52	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 53	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 54	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 55	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 56	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 57	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 58	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 59	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 60	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 62	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 63	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 65	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 66	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 67	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 68	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 69	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 71	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 72	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 73	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 74	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 75	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 76	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 77	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 78	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 79	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 80	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 81	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 82	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 83	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 85	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 86	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 87	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 88	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 89	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 91	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 92	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 93	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 94	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 95	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 96	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 97	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 98	Lake Paradise Subdivision, Paradise Township, Coles County Illinois

Lot 99	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 100	Lake Paradise Subdivision, Paradise Township, Coles County Illinois
Lot 101	Lake Paradise Subdivision, Paradise Township, Coles County Illinois

**Section 2.** The real estate described in this Resolution is in Paradise Township, unincorporated territory of Coles County, where no zoning has been established. Prior to sale each lot's fair market value will be determined by a written appraisal prepared by a licensed real estate appraiser that will be available for public inspection.

**Section 3.** The management staff of the municipality is hereby authorized to negotiate for a contract proposal to sell said real. Any such contract negotiated shall be subject to ratification by the City Council.

**Section 4.** The city clerk is directed to publish a copy of this resolution at the first opportunity following its adoption and approval by the City Council.

Upon motion by Commissioner Schilling, seconded by Commissioner Cline, adopted this 21<sup>st</sup> day of March, 2006, by a roll call vote, as follows:

AYES (Names):	<u>Commissioner Cline, Commissioner Ervin,</u> <u>Commissioner McKenzie, Commissioner Schilling,</u> <u>Mayor White</u>
NAYS (Names):	<u>None</u>
ABSENT (Names):	<u>None</u>

Approved this 21<sup>st</sup> day of March, 2006.

/s/ Charles E. White  
Charles E. White, Mayor  
City of Mattoon, Coles County, Illinois

ATTEST:  
/s/ Susan J. O'Brien  
Susan O'Brien, City Clerk

APPROVED AS TO FORM:  
/s/ J. Preston Owen  
J. Preston Owen, City Attorney

Recorded in the Municipality's Records on 03-22, 2006.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Commissioner Cline seconded by Commissioner Ervin moved to approve Council Decision Request 2006-588, approving the hiring of Sara Brandenburg as a part-time employee in the finance department at \$9.38 per hour, effective March 18, 2006.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Mayor White called for any questions from the public. There were no questions from the public.

Mayor White seconded by Commissioner Ervin moved to recess to closed session at 7:06 p.m. pursuant to the Illinois

Open Meetings Act for the purpose of considering the employment, performance or dismissal of employees of the municipality (5 ILCS 120(2)(c)(1)); litigation affecting or on behalf of the City of Mattoon (5 ILCS 120/2(c)(11)); and collective negotiating matters of the municipality (5 ILCS 120(2)(c)(2)): discussion of the status of the Police and Fire bargaining unit contracts.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

Council reconvened from closed session at 8:26 p.m.

Mayor White seconded by Commissioner Schilling moved to adjourned at 8:27 p.m.

Mayor White declared the motion carried by the following vote: YEA Commissioner Cline, YEA Commissioner Ervin, YEA Commissioner McKenzie, YEA Commissioner Schilling, YEA Mayor White.

/s/Susan J. O'Brien  
City Clerk